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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INDIAN HARBOR INSURANCE CO.,

Plaintiff,

- against -

THE CITY OF SAN DIEGO ET AL.,

Defendant.

12 Civ. 5787 (JGK)

13 Civ. 3246 (JGK)

13 Civ. 4029 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

For the reasons stated at today's conference, the plaintiff's motion to consolidate Nos. 13 Civ. 3246 and 13 Civ. 4029 is granted. The Clerk is directed to close Docket No. 72 in No. 12 Civ. 5787.

The applications by the defendants in Nos. 13 Civ. 3246 and 13 Civ. 4029 to stay those matters until a decision on the motion for summary judgment in No. 12 Civ. 5787 are granted. Nos. 13 Civ. 3246 and 13 Civ. 4029 are stayed.


The applications by the defendants in Nos. 13 Civ. 3246 and 13 Civ. 4029 to intervene in No. 12 Civ. 5787 for purposes of submitting papers in opposition to the pending motion for summary judgment is granted. The defendants may submit a joint opposition to the plaintiff's motion for summary judgment not to exceed 25 pages by August 9, 2013. The plaintiff may submit responsive papers not to exceed 25 pages by August 23, 2013. The defendants may submit reply papers not to exceed 10 pages by September 3,

2013. Oral argument on the motion for summary judgment is set for September 13, 2013 at 2:30pm.

The parties make take the deposition described at today's conference at any agreed upon time provided that there is sufficient time to include the deposition in the supplemental papers on the motion for summary judgment. Moreover, the parties may address the supplemental authority submitted by the City of San Diego in the supplemental papers on the motion for summary judgment.

SO ORDERED.

Dated: New York, New York
July 26, 2013



John G. Koeltl
United States District Judge